



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Sheppard et al.

Serial No.: 10/645,737

Group Art Unit: 1625

Filed: August 21, 2003

Examiner: Taylor V. Oh

For: PROCESS FOR THE OXIDATIVE PURIFICATION OF
TEREPHTHALIC ACIDMail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**Response Under 37 C.F.R. § 1.111**

This reply is in response to the Office Action mailed on December 10, 2004, and the period for response is set to expire on March 10, 2005. The following remarks are respectfully submitted. Reconsideration of the claims is respectfully requested.

Issue III: Obviousness Rejection (35 U.S.C 103)

Claims 1-2, 4-25, and 27-31 were rejected as being unpatentable over Scott et.al. (U.S. 4,158,738) in view of Zeitlin et.al. (U.S. 5,095,146). Applicants wish to respectfully rebut the rejection for reason that the examiner has not established a *prima facie* case of obviousness.

Applicants would like to respectfully point out that in order for the examiner to establish a *prima facie* case of obviousness, three basic criteria must be met. First,